

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

INTRODUCTION

I, Tucker J. Heap, having been first duly sworn, do hereby depose and state as follows:

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (“FBI”) for approximately nine years and am currently assigned to the Boston Division, Child Exploitation Task Force. While employed by the FBI, I have investigated federal criminal violations related to, among other things, the on-line sexual exploitation of children. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media.
2. I submit this affidavit in support of a criminal complaint charging John Tran, YOB: 1987, of Waltham, Massachusetts, with receipt and possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(2)(B) and 2252(a)(5)(B).
3. The statements contained in this affidavit are based in part on information provided by FBI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a Special Agent with the FBI. Because this affidavit is submitted for the limited purpose of securing authorization for the requested search warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the requested criminal complaint.

4. On November 13, 2015, in the District of Massachusetts, United States Magistrate Judge M. Page Kelley issued a search warrant for John Tran's residence in Waltham, Massachusetts. The search warrant was obtained based on information that led investigators to believe that someone at that address using the screen name "tt8754" had accessed files from a website known to contain child pornography. Information obtained from the known child pornography website revealed that "tt8754" registered for an account on the website on February 20, 2015. The Federal Bureau of Investigation was able to determine that "tt8754" had been actively logged into the known child pornography website for a total of 1 hour, 47 minutes between the dates of February 20 and March 1, 2015.

5. On March 1, 2015, the user "tt8754" accessed the post "Vip mom 30min long" in the "Pre-teen Videos – Girls HC" section. Among other things, this post contained what appeared to be a prepubescent female lying in bed. The female's pants and underwear were pulled down exposing her buttocks and vagina.

6. On March 1, 2015, the user "tt8754" accessed the post "Latina Anal Part 1 & 2" in the "Girls HC" forum that contained a two contact sheets. The first contact sheet, titled "Latina Anal (1).mpg," contained 19 photographs, wherein, multiple images depicted what appeared to be a prepubescent female performing oral and anal sex. The second contact sheet, titled "Latina Anal (2).mpg," contained 19 photographs, wherein, multiple images depicted what appeared to be a prepubescent female performing anal sex.

7. On November 16, 2015, the Federal Bureau of Investigation Boston Child Exploitation Task Force and the Waltham Police Department executed the federal search warrant. Upon entering the residence, the agents and officers encountered the following two individuals: John

Tran and his father, Sang Tran. Agents interviewed both men. John stated he utilized the username “tt8754” to access the website, known to law enforcement, which contained child pornography. John stated he viewed the images of child pornography, downloaded them and then eventually moved the images to the recycle bin on a computer.

8. John identified an Asus laptop computer, serial number C3N0AS151354109, in his bedroom. John stated he was the only individual who utilized the laptop. A preliminary forensic review of the Asus laptop showed the device contained the following video files in the recycle bin:

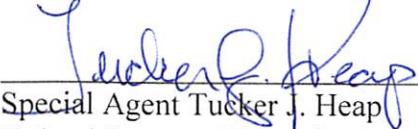
- a. “pthc hussyfan!!!news (rare) – mandy sucking cumshot.mpg”
- b. “She did it for me.3gp” and
- c. “Special_Smurfette_Blows.mp4”

9. ““pthc hussyfan!!!news (rare) – mandy sucking cumshot.mpg”” is a video depicting a prepubescent female performing oral sex on an adult male. The preliminary forensic review revealed that the video file was saved to the Asus laptop on February 5, 2008. “She did it for me.3gp” is a video depicting an adult male ejaculating onto the face of a prepubescent female, then pressing his penis against her mouth. The preliminary forensic review revealed that the video file was saved to the Asus laptop on January 6, 2013. “Special_Smurfette_Blows.mp4” is a video depicting a prepubescent female performing oral sex on an adult male. The preliminary forensic review revealed that the video file was saved to the Asus laptop on December 28, 2013.

10. Due to my training and experience, I believe the three video files are child pornography.

Conclusion

12. Based on the foregoing, there is probable cause to believe that John Tran received and possessed child pornography.



Special Agent Tucker J. Heap
Federal Bureau of Investigation

Sworn and subscribed to before me this 16th day of November, 2015.



Honorable M. Page Kelly
United States Magistrate Judge

